

Maine



Rivers

*Our mission is to
protect, restore and
enhance Maine's river
systems*

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February 15, 2005

Mr. Andrew Fisk
Bureau of Land And Water Resources
Maine Department of Environmental Protection
17 State House Station
Augusta, Maine 04333

Dear Andy:

Maine Rivers appreciates the opportunity to comment on the draft TMDL for Gulf Island Pond. The document is clearly the result of a massive amount of work, and we are thankful for the dedication that obviously went into its preparation.

As you know, Maine Rivers has been concerned with the health of the Androscoggin River for some time now. We are concerned not only because we believe that the river has been treated poorly across the board – with virtually every substantive improvement in the river's water quality the result of difficult and protracted political battles -- but also because our treatment of the Androscoggin has repercussions for rivers across the state.

Thus, we were dismayed to see that the 22 degree standard for dissolved oxygen was inappropriately used to generate the BOD portion of the TMDL. DEP well knows that while the legislature may have intended to pass this standard, this is not in fact the standard that is in statute, and by law should not be used.

Similarly, we are very concerned about DEP's lack of leadership in setting discharge limits for the upstream mills. DEP clearly has the authority to do this. By handing off the problem to the mills themselves to work out, DEP contributes further to the already deplorable delays in issuing meaningful licenses that would result in water quality improvements in the impoundment.

In addition, we would urge DEP to place the findings of this past summer's study of the impoundment in perspective. The season was cold and wet, and any conclusions drawn from it should be interpreted in that light. We are also puzzled by the assertion that extremely large amounts of phosphorus discharged by the mills can be taken up in the river before they reach Gulf Island Pond. How is this possible? Where does this phosphorus go?

Finally, we understand the need for oxygen injection to augment DO levels in the impoundment. But we would hope that over time, DEP will move

towards a regulatory regime in which the river is healthy enough to sustain adequate amounts of dissolved oxygen in it, without the necessity of artificial injection. The bubblers are a technological fix for a river that, very simply, needs to be cleaned up.

Thank you for the opportunity to comment on this important issue.

Sincerely,

Naomi Schalit
Executive Director